

Application No.: 09/872,451  
Preliminary Amendment dated: August 7, 2005  
Reply to final Office Action of: May 2, 2005

### REMARKS

By the foregoing Amendment, claim 29 has been canceled, without prejudice, and claims 1, 3, 7-10, 14, 16, 20-23, 27, 30, and 32 have been amended. In view of the foregoing amendments and following remarks, Applicants respectfully request the Examiner to reconsider all the outstanding rejections and to withdraw them.

#### *Rejection Under 35 U.S.C. §102(e)*

At paragraphs 2-14 of the Final Office Action, the Examiner rejected claims 1-8, 11, 14-21, 24, and 27-33 as being anticipated by U.S. Patent No. 6,421,707 to Miller et al. ("Miller").

Miller generally describes a wireless multimedia messaging communications system that permits a subscriber to receive and generate multimedia messages from known wireless personal communications devices. A multimedia message may be received by the network and selectively delivered to a subscriber of the wireless service. Upon receipt of the message, the network determines an appropriate action to take with respect to the message based upon a profile of the subscriber.

Input subsystem 150 provides a universal input to the service complex. Regardless of input format, it first enters input subsystem 150, which consults user profile database 135 to determine how particular input is to be processed. Typical actions include notification to subscribers, forwarding a message, and deleting a message. See, FIG. 1 and col. 2, line 65 to col. 3, line 5 of Miller.

In an e-mail notification scenario, a subscriber is notified via a short message service (SMS) communication. In particular, subscriber notification is effected through cellular/PCS SMS module 161 of delivery subsystem 160. See, FIG. 1, 4(f), and col. 4, line 40 to col. 5, line 34 of Miller.

In Applicants' claim 1, email notification is effected through the use of a mail server, coupled to the Internet, for storing an electronic mail message received over the Internet and for generating a copy of the electronic mail message; and a notifications server, coupled to the mail server, and having a standard electronic mail protocol for receiving the copy of the electronic mail message as a standard formatted electronic mail message; wherein the notifications server is

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for automatically generating, therefrom, a subset of the received copy of the electronic mail message; and wherein the notifications server, upon generation of the subset, is for transmitting the subset to an identified wireless electronic device associated with a user that is the recipient of the received electronic mail message. As claimed, Applicants' notification process of claim 1 leverages two distinct servers: a mail server and a notifications server, wherein communication between the two servers is based on a standard electronic mail protocol.

Applicants note that it is unclear what if any interaction exists between email gateway 140 and delivery subsystem 160. What is clear, however, is that email notification is handled by cellular/PCS SMS module 161, which does not operate on a standard electronic mail protocol.

For at least this reason, Applicants submit that the rejection of claim 1 is traversed. As independent claims 14 and 27 recite similar features as independent claim 1, the rejection of claims 14 and 27 is also traversed for at least those same reasons. Finally, since claims 2-8, 11, 15-21, 24, and 28-33 are dependent from and incorporate the features of one of independent claims 1, 14, or 27, the rejection of claims 2-8, 11, 15-21, 24, and 28-33 is also traversed for at least those reasons noted above.

#### ***Rejection Under 35 U.S.C. §103***

At paragraphs 16-20 of the Final Office Action, the Examiner rejected claims 9, 10, 12, 13, 22, 23, 25, and 26 as being unpatentable over Miller in view of Patent Publication No. 2002/0120696 to Mousseau et al. ("Mousseau").

Since claims 9, 10, 12, 13, 22, 23, 25, and 26 are dependent from one of independent claims 1, 14, and 27 and incorporates the features of one of those claims, the rejection of claims 9, 10, 12, 13, 22, 23, 25, and 26 is traversed for at least those reasons noted above with respect to claims 1, 14, and 27.

#### ***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all

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presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might be useful for any reason.

Respectfully submitted,

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